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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LUIS A. URENDA-BUSTOS,

 Petitioner,

 v.

JERRY HOWELL, et al.,

 Respondents.

Case No. 2:18-cv-01073-JCM-CWH

ORDER

 Petitioner has submitted an application to proceed in forma pauperis (ECF No. 1) and a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The court finds that petitioner is unable to pay the filing fee.

 Petitioner has filed a motion for leave to amend petition (ECF No. 5), which the court grants.

 Petitioner has filed a motion for appointment of counsel (ECF No. 3). Petitioner is unable to afford counsel, and the issues presented warrant the appointment of counsel. See 18 U.S.C. § 3006A(a)(2)(B).

 IT THEREFORE IS ORDERED that the application to proceed in forma pauperis (ECF No. 1) is **GRANTED**. Petitioner need not pay the filing fee of five dollars (\$5.00).

 IT FURTHER IS ORDERED that the clerk of the court shall file the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

1 IT FURTHER IS ORDERED that petitioner's motion for leave to amend petition (ECF
2 No. 5) is **GRANTED**. The clerk of the court shall file the first amended petition, which is
3 attached to the motion for leave to amend petition.

4 IT FURTHER IS ORDERED that petitioner's motion for appointment of counsel (ECF
5 No. 3) is **GRANTED**. The Federal Public Defender is provisionally appointed to represent
6 petitioner.

7 IT FURTHER IS ORDERED that the Federal Public Defender shall have thirty (30) days
8 from the date that this order is entered to undertake direct representation of petitioner or to
9 indicate to the court his inability to represent petitioner in these proceedings. If the Federal
10 Public Defender does undertake representation of petitioner, he shall then have sixty (60) days to
11 file a second amended petition for a writ of habeas corpus. If the Federal Public Defender is
12 unable to represent petitioner, then the court shall appoint alternate counsel.

13 IT FURTHER IS ORDERED that neither the foregoing deadline nor any extension
14 thereof signifies or will signify any implied finding of a basis for tolling during the time period
15 established. Petitioner at all times remains responsible for calculating the running of the federal
16 limitation period under 28 U.S.C. § 2244(d)(1) and timely asserting claims.

17 IT FURTHER IS ORDERED that the clerk shall add Adam Paul Laxalt, Attorney General
18 for the State of Nevada, as counsel for respondents.

19 IT FURTHER IS ORDERED that the clerk shall electronically serve both the Attorney
20 General of the State of Nevada and the Federal Public Defender a copy of the first amended
21 petition and a copy of this order.

22 IT FURTHER IS ORDERED that respondents' counsel shall enter a notice of appearance
23 within twenty (20) days of entry of this order, but no further response shall be required from
24 respondents until further order of the court.

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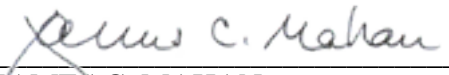
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1 IT FURTHER IS ORDERED that, notwithstanding Local Rule LR IC 2-2(g) paper copies
2 of any electronically filed exhibits need not be provided to chambers or to the staff attorney,
3 unless later directed by the Court.

4 DATED: October 29, 2018

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6 JAMES C. MAHAN
7 United States District Judge
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